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11 Attorneys for Plaintiff
12 United States of America

13
14 IN THE UNITED STATES DISTRICT COURT
15 EASTERN DISTRICT OF CALIFORNIA

16 UNITED STATES OF AMERICA,

17 Plaintiff,

18 v.

19 CESAR LOSOYA-CASTREJON,
20 ARTURO FARIAS-ZEPEDA,
21 ROBERTO SORIA-CUEVAS,

22 Defendants.

23 CASE NO. 1:22-CR-00297-JLT-BAM

24 STIPULATION REGARDING EXCLUDABLE
25 TIME PERIODS UNDER SPEEDY TRIAL ACT;
26 AND ORDER

27 ORDER SETTING JURY TRIAL

28 **STIPULATION**

29 Plaintiff United States of America, by and through its counsel of record, and defendant, by and
30 through defendant's counsel of record, hereby stipulate as follows:

31 1. By previous order, this matter was set for status conference on 10/23/2024.

32 2. By this stipulation, defendants now move to vacate the status conference and set a trial

33 6/17/2025, and to exclude time between 10/23/2024, and 6/17/2025, under 18 U.S.C. § 3161(h)(7)(A),
34 B(iv) [Local Code T4].

35 3. The parties agree and stipulate, and request that the Court find the following:

36 a) The government has represented that the discovery associated with this case

37 includes thousands of pages of investigative reports, video, audio recordings, cell phone

38 extractions, and other voluminous materials. Supplemental discovery has been either produced

1 directly to counsel or made available for inspection and copying. The government has extended
2 formal plea offers and is engaged in plea negotiations.

3 b) Counsel for defendants desire additional time to consult with their clients, review
4 the voluminous discovery, conduct independent investigation, prepare for trial, and pursue a
5 potential pretrial resolution of the case.

6 c) Counsel for defendants believe that failure to grant the above-requested
7 continuance would deny him/her the reasonable time necessary for effective preparation, taking
8 into account the exercise of due diligence.

9 d) The government does not object to the continuance.

10 e) The parties will be prepared to set a trial date at the next status conference if this
11 matter remains unresolved.

12 f) Based on the above-stated findings, the ends of justice served by continuing the
13 case as requested outweigh the interest of the public and the defendant in a trial within the
14 original date prescribed by the Speedy Trial Act.

15 g) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
16 et seq., within which trial must commence, the time period of 10/23/2024 to 6/17/2025,
17 inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4]
18 because it results from a continuance granted by the Court at defendant's request on the basis of
19 the Court's finding that the ends of justice served by taking such action outweigh the best interest
20 of the public and the defendant in a speedy trial.

21 4. Nothing in this stipulation and order shall preclude a finding that other provisions of the
22 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial
23 must commence.

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1 IT IS SO STIPULATED.

2 Date: October 15, 2024

PHILLIP A. TALBERT
United States Attorney

6 Date: October 15, 2024

/s/ Antonio J. Pataca
ANTONIO J. PATACA
Assistant United States Attorney

9 Date: October 15, 2024

/s/ Victor M. Perez
VICTOR M. PEREZ
Counsel for Defendant
CESAR LOSOYA-CASTREJON

12 Date: October 15, 2024

/s/ David Torres
DAVID TORRES
Counsel for Defendant
ARTURO FARIAS-ZEPEDA

16 **ORDER**
17 IT IS SO ORDERED that the status conference set for October 23, 2024, is vacated. A jury trial is
18 set for **June 17, 2025, at 8:30 a.m. in Courtroom 4 before District Court Judge Jennifer L. Thurston.**
19 Estimate time of trial is **three (3) weeks**. Time is excluded through trial pursuant to 18 U.S.C. §
20 3161(h)(7)(A), B(iv).

22 IT IS SO ORDERED.

24 Dated: October 15, 2024

/s/ Barbara A. McAuliffe

25 UNITED STATES MAGISTRATE JUDGE